THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8913 of 2007

Dated:26.04.2007

Between:

Smt.Chaganti Krishnaveni.

... Petitioner

AND

The Divisional Panchayat Officer and others.

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.8913 of 2007

ORDER:

The petitioner is a Sarpanch of Medaramitlavaripalem Gram Panchayat of Lingasamudram Mandal in Prakasam District. She was elected in the elections held in July 2006. She took the Office on 23.08.2006. When the records were not handed over by the fifth respondent (Ex-Sarpanch), she made an application to the second respondent as well as the District Collector on 27.09.2006 for redressal. In response thereto, the first respondent issued orders in Roc.No.159/2006, dated 07.10.2006, directing that the Ex-Sarpanch should handover the records to the Secretary of the Gram Panchayat immediately. The first respondent also mentioned that if there is any delay in handing over the records, necessary action may be taken as per law. Alleging that in spite of the said proceedings records are not handed over, the present Writ Petition is filed seeking a direction to respondents

1 to 4 to take steps for obtaining the records from the fifth respondent and handing over possession.

Respondents 1 and 2 immediately acted on the representation of the petitioner, dated 27.09.2006, and the first respondent passed orders to the effect that the Ex-Sarpach should handover the records. The first respondent also informed that necessary action may be taken as per law. This Court fails to understand what more redressal the petitioner can have. The order is passed by the first respondent in her favour. The jurisdiction under Article 226 of the Constitution of India is not intended for implementing the orders of Divisional Panchayat Officer. The remedy of the petitioner is elsewhere.

This Writ Petition is misconceived, and is accordingly dismissed. No costs.

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(**V.V.S.RAO, J**)

26.04.2007
vs